

Opera House, April 1st GRAND SCOTTISH CONCERT!

ARTISTES:
MISS JESSIE N.

MacLachlan

PRIMA DONNA

John McInden,
Scottish Cellist

J. Fulton Dick,
Humorist and Elocutionist

R. Buchanan,
Pianist and Conductor

PRICES: — Orchestra, Dress
Circle and Balcony, \$1.50;
Gallery, 50c.

Smoke
GENERAL ARTHUR CIGARS
GUNST-EAKIN CIGAR CO.
Distributors.

J. Hopp & Co.,
FURNITURE.

SWELL IRON BEDS.

The steamer Hawaiian brought us a big shipment of beds—all the way from the manufacturers in Chicago. Some are all brass, and some colored with heavy brass trimmings. These are high class beds, similar to the iron beds seen in the swell suites of the hotels. They are much superior to the iron beds usually sold here.

We have fine beds in the Vernis Martin finish.
Cribbs, with high sides, and all brass.

DINING ROOM RUGS.

By the Alameda we received a large shipment of grass rugs. They are of all sizes, all colors, and of many figured designs. We got them in such quantity and at a price that will permit them to be sold low. They are just the thing for the dining room or den, are artistic, and, although cheap as regards price, are not cheap in appearance.

WIRE MATTRESSES.

This climate rusts some kinds of wire mattresses. Then the rusty wires spoil the ticking of your nice mattresses. New wire springs are inexpensive and save you lots of trouble. We sell a number of different makes and as we put them together in our own workshops we can guarantee that they will not warp or break up easily.

LANAI FURNITURE.

Warm weather is approaching. Are your lanai rockers weather-worn and useless. We have a nice line of these.

J. Hopp & Co.

Oldest and Largest Furniture House in the Islands. Young Building.

Every Man the Architect of His Own Fortune

All large fortunes had to begin with the first few dollars. If you will begin now and invest in a few shares of Mutual Building & Loan Society it will eventually lead to independence. Call and talk it over with

RICHARD H. TRENT,
Secretary.
938 Fort Street.

CLASSES

Face massage, electric massage, scalp treatment, shampooing, manicuring, removal of superfluous hair by electric needle.

MRS. BARCLAY.
Hotel St., next Elite Ice Cream Parlors.

Y. MAN SING
DRESS PARLORS

AT

1117 NUUANU STREET.

ASHFORD'S CAR RIDE

Rapid Transit Co.
Is Adjudged
Wrong.

Catton Is Vindicated In
Fowler Plow
Cases.

The Supreme Court Expresses Its
Views on Estate
Wrecking.

Besides the four tax cases decided as elsewhere reported, the Supreme Court yesterday handed down five interesting decisions. All nine decisions are unanimous, though in different cases the court was variously constituted owing to disqualifications of regular members.

To the public, probably the Ashford-Rapid Transit decision will be most interesting of the bunch of cases reported below.

PASSENGER'S RIGHTS SUSTAINED

Clarence W. Ashford is given judgment against Honolulu Rapid Transit & Land Co., for statutory damages on account of his being hauled to defendant's barn in a trailer instead of having his demand complied with for a seat in a motor car to his destination when the crew was detaching the trailer from the motor car. The judgment of the Honolulu District Court for defendant is reversed and the case is remanded to the District Magistrate of Honolulu with directions to enter up judgment for plaintiff and for such further proceedings as may be proper not inconsistent with this opinion. Justice Wilder is author of the opinion, in which the court says: "It is unnecessary to decide whether the rule with reference to steam railroads, that a passenger is entitled to a seat as a matter of right, is applicable to this street railroad company." Plaintiff in person; Castle & Withington for defendant.

ESTATE WRECKING DISCUSSED.

Justice Wilder writes the unanimous opinion of the regularly constituted court in the case of Mele K. Noley vs. Cecil Brown and others, affirming the decree of the Fourth Circuit Court and, in the syllabus:

"Expenses of administration should be deducted before widow's dower is apportioned out of her husband's personal estate under Revised Laws, Sec. 2271.

"Expenses, if reasonable, incurred by executors in proceedings to contest will of decedent are expenses of administration."

In the body of the opinion the court says:

"On this point we would say, however, that estates of decedents should be protected and conserved for the benefit of all concerned and not slaughtered or wrecked. And it is the duty of the courts before whom these estates come for settlement or review to see that they are protected in every instance irrespective of whether any objection is made by any interested party or not. The practice of regarding estates coming before courts for review or settlement to be the legitimate prey of all who come in contact therewith should never for one moment be tolerated in this Territory."

Kinney, McClanahan & Cooper for plaintiff-appellant; Holmes & Stanley for respondent-appellees.

Exceptions from First Circuit Court are overruled in the case of Cecil Brown vs. Kate Braymer, where a directed verdict was given for plaintiff. The suit was on a note for \$350 and interest, the note having been accidentally burned. It is found in effect that there was such a note, that it was never paid and that the proof of its destruction was clear enough. Chief Justice Frear is author of the opinion, Justice Hartwell and Judge De Bolt signing with him. W. A. Whiting with plaintiff; G. A. Davis for defendant.

CATTON STRONGLY VINDICATED.

Chief Justice Frear, with whom sat Circuit Judges Robinson and Matthews, writes a unanimous opinion of the Supreme Court affirming the decree of the First Circuit Court which dismissed the bill for accounting of John Fowler & Co. (Leeds), Ltd., against R. Catton and G. W. Macfarlane. It is found that plaintiff and Macfarlane do not seem to be antagonistic in the controversy. Plaintiff claimed that Catton had in his possession a large quantity of unsold goods and withheld upwards of \$13,000 received from sales of goods and refused to account therefor. It was all with respect to the Hawaiian agency for the Fowler steam plows and

other machinery, in which Macfarlane and Catton were copartners for some years, but Catton claiming to have been sole agent from Jan. 11, 1894, to Feb. 28, 1899. Catton, defending, alleged that he had accounted for all moneys and property which came into his hands as such agent and that the account had been closed. He was upheld in every particular by the court below, as he is now by the appellate court. Evidence of the Fowlers is found both self-contradictory and vague. Robertson & Wilder for plaintiff; Holmes & Stanley and Kinney, McClanahan & Cooper for Catton; no appearance for Macfarlane.

CATTON WINS AGAIN.

In the case of G. W. Macfarlane vs. R. Catton, the decision of the First Circuit Court which dismissed a bill for accounting is affirmed. Chief Justice Frear writes the opinion, Circuit Judges Robinson and Matthews having sat with him. Robertson & Wilder for plaintiff; Holmes & Stanley and Kinney, McClanahan & Cooper for defendant. The court says that if Macfarlane had accepted Catton's theory of a dissolution of the co-agency, the payment and receipt of commission obtained by him would be a matter between him and his principal, but proceeding as he does upon theory of a continuation of the co-agency he cannot do business properly appertaining to such agency for his own private benefit and then call upon the defendant to account for his commissions without also accounting himself.

SLOGGETT'S WILL FILED

Leaves Small Estate to
Children--Rebecca's
Strong Claim.

Johann Friedrich Humburg petitions for probate of the will of the late Dr. Henry Charles Sloggett, with confirmation of its appointment of Henry Digby Sloggett and himself as executors. An estate of personality valued at about \$4,400 is bequeathed, share and share alike, to Henry Digby Sloggett, son, and Myra Humburg, daughter. The items of the estate are cash about \$3,500, instruments \$500 and Loan Association funds about \$400.

PROBATE MATTERS.

Judge De Bolt, on the petition of Ida M. Johnson, widow, appointed E. J. Spalding as administrator of the estate of H. D. Johnson, under a bond of \$20,000. Harry Armitage, P. H. Burnette and John H. Schnack were named appraisers.

Mary Thompson, executrix of the will of William Thompson, in her final account with petition for discharge shows receipts of \$4,403.24, and payments of \$253.75.

Judge De Bolt approved the accounts and ordered the discharge of K. Ona, administrator of the estate of M. Okahara.

Judge Robinson approved the accounts and ordered the discharge of Robert F. Lange, administrator of the estate of M. Chock, deceased.

REBECCA CLAIMS ALL.

Rebecca Pamee Hureku by her guardian, Richard H. Trent, demurs to the answers of Kwan Chong and Quong Lam Kee Co. in the interpleader on a fire claim entered by W. A. Whiting against her former guardian and others. She claims to be the sole legal and equitable owner of the whole fund, and entitled to its immediate use and possession.

WILL MARRY MAN FROM MAUI ISLE

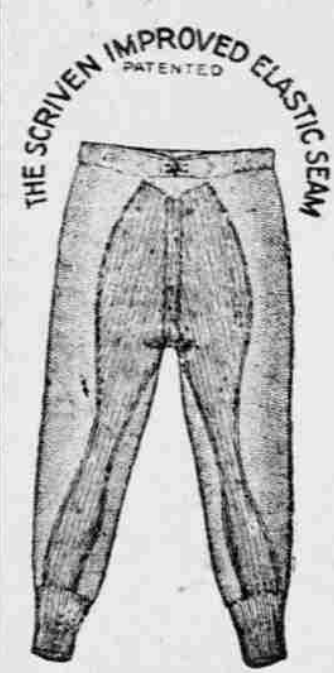
OAKLAND, Mar. 15.—The betrothal of Miss Edith Lewthwaite to George L. Keeney of Hawaii is announced. Miss Lewthwaite went to Hawaii a year ago to visit friends, but when the appointed six months had passed so enamored was the young woman of life on the islands that she yielded to the importunities of those who were familiar with her musical attainments and opened a class in piano study.

She had promised her parents, Mr. and Mrs. Alexander Lewthwaite, of 1006 East Twenty-seventh street, that she would return in May, but the last mail brought the news of her engagement and said that she awaited the parental blessing before setting a day for the wedding.

Permission was accorded at once and the marriage will be solemnized some time in April. Mrs. Lewthwaite being uncertain of the exact date until the next steamer arrives. A charming home is being built for the young couple at Punene, where Mr. Keeney is in charge of the sugar plantation of Alexander & Baldwin of San Francisco. The house furnishings are being purchased in California and the picturesque island home will be almost a bit of the Golden State.

The wedding is to be solemnized at the church at Kahului. Miss Kate Keeney, who has gone down to attend the ceremony, acting as maid of honor. Later there will be a reception at the home of the groom's sister, Mrs. Correll.

Scriven's Improved Elastic Seam Drawers!



This scientific drawer is worn by over a million careful dressers and it costs no more than the ordinary drawer made of good material.

It fits snugly and follows the lines of the hips and legs. Waist sizes from 28 to 50 inches.

None of our patrons are more delighted than men of unusual build. It makes no difference if you are slim, stout, short, tall or of perfect proportions, you can always secure a CORRECT FIT.

The SCRIVEN'S DRAWER will yield to any strain or pressure after which it will return to its original shape.

Only the very best material is used and in comfort and durability it KNOWS NO EQUAL.

M. McInerny, Ltd.
CORNER FORT AND MERCHANT STREETS.

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT, TERRITORY OF HAWAII, AT CHAMBERS—IN PROBATE.

Guardianship of Valentine S. Holt, Wattle E. Holt, Amelia A. Holt, Helene A. Holt, James R. Holt, and Irene N. Holt, Minors.

NOTICE OF GUARDIANSHIP OF REAL ESTATE.

Notice is hereby given that pursuant to the order of the Honorable W. J. Robinson, Third Judge of the Circuit Court of the First Judicial Circuit, Territory of Hawaii, sitting at Chambers in Probate made and entered on the 28th day of February, A. D. 1905, in the matter of the Guardianship of Valentine S. Holt, Wattle E. Holt, Amelia A. Holt, Helene A. Holt, James R. Holt, and Irene N. Holt, minors, the undersigned guardian of the persons and property of said minors, will offer for sale at public auction, and will sell to the highest and best bidder for cash, at the auction rooms of James F. Morgan, Kaahumanu street, in Honolulu, Island of Oahu, Territory of Hawaii, on Saturday, the 18th day of March, A. D. 1905, at the hour of twelve o'clock noon of said day all the following described real estate, to wit:

All that parcel of land situate on Maunakea street, Honolulu, Island of Oahu, Territory of Hawaii, and bounded and described as follows: Beginning at a point on east side of Maunakea street (new line) 105 feet mauka of east angle of Pauahi and Maunakea streets and running by true bearings:

S. 67° 30' W. 25.5 feet along Maunakea street.

S. 27° 5' E. 53.5 feet along portion of L. C. A. 88.

N. 51° 15' E. 30.2 feet along L. C. Award 718.

N. 31° 10' W. 55.0 feet along portion of L. C. Award 88 to point of beginning.

Terms: Cash in United States Gold Coin. Sale subject to confirmation by the court. Deed at expense of purchaser.

For further particulars apply to W. O. Smith, Judd Building, Honolulu. Dated February 28, 1905.

HELEN A. HOLT, Guardian of Valentine S. Holt, Wattle E. Holt, Amelia A. Holt, Helene A. Holt, James R. Holt, and Irene N. Holt, Minors.

The above sale is postponed to Saturday, April 1, 1905, at 12 o'clock noon, at salesrooms of Jas. F. Morgan, Kaahumanu street, Honolulu, T. H.

JAS. F. MORGAN, Auctioneer. Mch. 21, 28, April 1.

MADE BY W. H. PAIN.

NOTICE OF INTENTION TO FORECLOSE AND OF SALE.

Under and by virtue of the power of sale contained in that certain mortgage dated the 21st day of January, 1903, made by William H. Pain of Honolulu, Island of Oahu, Territory of Hawaii, as Mortgagor to S. M. Damon, H. E. Watty and S. E. Damon all of Honolulu aforesaid, doing business under the firm name and style of Bishop & Company, as Mortgagees, of record in Liber 243 on pages 247-253, Hawaiian Registry of Conveyances and pursuant to Chapter XXXIII of the Session Laws of 1874 entitled "An Act to provide for the sale of mortgaged property without suit and decree of sale" and the Act (Chapter IX of the Session Laws of 1890) amending same, the undersigned, assignees of the said mortgage hereby give notice that they intend to foreclose the said mortgage for condition broken, to wit, the non-payment of the principal sum and interest secured by the said mortgage when due.

Notice is likewise given that the property conveyed by the said mortgage will be sold at public auction at the auction rooms of James F. Morgan, Kaahumanu street, Honolulu, aforesaid, on Saturday the 18th day of March, 1905, at 12 o'clock noon.

The property conveyed by the said mortgage consists of: (1) All that lot, piece or parcel of land situate on Lunaillo street, Punchbowl hill, Honolulu, aforesaid, comprising lot 505 of patent (Grant) 3777 to the said mortgagor, and thus bounded and described:

Lot 505. Beginning at a point on the

south side of Lunaillo street 115.1 feet west of the north corner of the Boardman lot No. 416, and running,

S. 81° 34' W. true 115.1 feet along Lunaillo street.

S. 21° 12' W. true 126.0 feet along lot 502.

S. 68° 48' E. true 100.0 feet along lot 503.

N. 21° 12' E. true 183.0 feet along lot 506 to the initial point. Area 15,450 square feet.

(2) All that certain lot and parcel of land situate on Liliha street, Honolulu, aforesaid and described as follows, to wit:

Commencing at the west corner of this place on Liliha street at a post at angle of fence near Auwai running thence

S. 48° 30' E. Magnetic 116.8 feet along Palala and Kamohoula Land Commission Award 7129 to a post on kuauna along Kamohoula to stake thence,

N. 41° 45' E. Magnetic 72.6 feet along kuauna along Kamohoula to stake thence

S. 65° E. Magnetic 19.8 feet along Kamohoula to center of Auwai thence

N. 47° 45' E. Magnetic 81 feet along land in Lang Commission Award 1172 up center of Auwai thence

N. 44° 15' W. Magnetic 133.2 feet along center of Auwai to Liliha street thence

S. 44° W. Magnetic 169.6 feet along Liliha street to point of commencement containing an area of 48-100 of an acre more or less and comprising all the land mentioned and described in deed of John H. Paty to the mortgagor dated August 30, 1884, and of record in Liber 148 page 225 of the said registry.

(3) Sixteen (16) paid up and non-assessable shares of the capital stock of the Waiwala Agricultural Co., Ltd., being the shares mentioned in share certificate No. 729 issued to the said mortgagor, and

(4) Those certain policies of insurance, to wit: Policy No. 6232350 in the sum of four thousand dollars (\$4000) in the Sun Insurance office, London; Policy No. 6232355 in the sum of nine hundred dollars (\$900) in the Sun Insurance office, London, and policy No. 2265241 in the Fireman's Fund Insurance Company of California in the sum of ten hundred and fifty dollars (\$1,050) and also all sum or sums of money, interest, benefit and advantage whatsoever hereafter to arise, to be had or made by virtue thereof.

S. M. DAMON, A. GARVIE, Copartners under the firm name of Bishop & Company.

Terms:—United States Gold Coin: Deeds at expenses of purchaser. For further particulars apply to Holmes & Stanley, attorneys for mortgagors. Dated February 26, 1905.

The above sale is postponed to Saturday, April 1, 1905, at 12 o'clock noon, at salesrooms of Jas. F. Morgan, Kaahumanu street, Honolulu, T. H.

JAS. F. MORGAN, Auctioneer. 7056—Mch. 21, 28.

ELECTION OF OFFICERS.

OAHU RAILWAY & LAND CO.

At the annual meeting of the stockholders of the Oahu Railway & Land Company held in Honolulu on Saturday, March 11, A. D. 1905, the following officers and directors were duly elected to serve during the ensuing year, namely:

B. F. Dillingham.....President and Director
M. P. Robinson.....1st Vice-President and Director
W. F. Allen.....2nd Vice-President and Director
A. W. Van Valkenburg.....Secretary, Auditor and Director
W. F. Dillingham.....Treasurer and Director
H. M. Von Holt.....Director
J. A. Gilman.....Director
F. A. Schaefer.....Director
J. M. Dowsett.....Director
A. W. VAN VALKENBURG, Secretary Oahu Railway & Land Co. Honolulu, March 11, 1905. 7050—March 14, 21, 28.

THE FUNDAMENTAL LAW OF HAWAII. Bound in law calf, sent postage prepaid to any address in the United States for \$5 a copy. Copies can be had at the Gazette office.

BY AUTHORITY.

PUBLIC LANDS NOTICE.

On Saturday, April 29, 1905, at 12 o'clock noon, at the front entrance to the Judiciary Building, Honolulu, will be sold at Public Auction:

Two Government Land Remnants, Honolulu, Oahu.

Remnant No. 1, contains an area of 707 square feet.

Upset price \$350.25.

Remnant No. 2, contains an area of 159 square feet.

Upset price \$318.

Terms Cash, U. S. Gold Coin.

This land is situate on and adjacent to Walkiki side Richards street and between Queen and Halekauwila streets.

For plans and further particulars, apply at the Department of Public Lands, Judiciary Building, Honolulu.

JAS. W. PRATT, Commissioner of Public Lands. Honolulu, H. T., March 27, 1905. 7062—March 28, April 1, 8, 15, 22, 29.

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT, TERRITORY OF HAWAII, AT CHAMBERS—IN PROBATE.

In the Matter of the Estate of Henry Charles Sloggett. Order for Notice of Hearing Petition for Probate of Will.

A document purporting to be the last will and testament of Henry Charles Sloggett, deceased, having on the 27th day of March, A. D. 1905, been presented to said Probate Court, and a petition for the probate thereof, and for the issuance of letters testamentary to Henry Digby Sloggett and Johann Friedrich Humburg having been filed by J. F. Humburg.

It is hereby ordered, that Monday, the 1st day of May, A. D. 1905, at 10 o'clock a. m., of said day, at the court room of said court, at Honolulu, be and the same hereby is appointed the time and place for proving said will and hearing said application.

It is further ordered, that notice thereof be given, by publication, once a week for three successive weeks, in the Pacific Commercial Advertiser, a newspaper published in Honolulu, the last publication to be not less than ten days previous to the time therein appointed for hearing.

Dated at Honolulu, March 27, 1905. (Signed) ALEX. LINDSAY, JR., Second Judge Circuit Court First Circuit.

Attest: WM. R. SIMS, Clerk Circuit Court First Circuit. 7062—March 29, April 5, 12, 19.

ELECTION OF OFFICERS.

N. S. SACHS DRY GOODS CO., LTD.

At the annual meeting of the N. S. Sachs Dry Goods Co., Ltd., held in Honolulu on the 28th day of February, 1905, the following officers were elected to serve for the ensuing year: President.....N. S. Sachs Vice-President.....W. H. Hoogs Treasurer.....James Wakefield Secretary.....W. H. Baird Auditor.....T. F. Lansing Directors—A. V. Gear, W. G. Singlehurst.

W. H. BAIRD, Secretary. 7062

DIVIDEND NOTICE.

WILDER'S STEAMSHIP COMPANY.

The board of directors of this corporation having declared a dividend of 3 per cent on its capital stock, Dividend No. 12 is payable March 31, 1905, to stockholders of record at the close of the stock transfer books March 28, 1905, at 3 p. m.

The transfer books will be re-opened April 1, 1905.

S. B. ROSE, Treasurer. Honolulu, March 27, 1905. 7062

MEETING NOTICE.

INTER-ISLAND STEAM NAVIGATION COMPANY, LIMITED.

The adjourned annual meeting of the stockholders of the Inter-Island Steam Navigation Co., Ltd., will be held at the office of the company, Queen street, Honolulu, on Wednesday, March 29, 1905, at 10 o'clock a. m.

C. H. CLAPP, Secretary. Honolulu, March 27, 1905. 7061

NOTICE TO STOCKHOLDERS.

H. R. T. & L. CO.

Notice is hereby given that the stock books of the Honolulu Rapid Transit & Land Company will be closed to transfers from the 28th to the 31st day of March, 1905, both days inclusive.

By order of the Board of Directors. GEO. P. THIELEN, Secretary. 7060

ELECTION OF OFFICERS.

INTER-ISLAND STEAM NAVIGATION CO., LTD.

At the annual meeting of the stockholders of the Inter-Island Steam Navigation Co., Ltd., held on Wednesday, March 22, 1905, the following officers and directors were elected to serve for the ensuing year:

James A. Kennedy.....President
James L. McLean.....Vice-President
N. E. Gedge.....Treasurer
C. H. Clapp.....Secretary
A. W. T. Bottomley.....Auditor
Directors—James A. Kennedy, W. G. Smith, C. M. Cooke, G. N. Wilcox, A. Dreier, J. M. Dowsett, A. S. Wilcox. C. H. CLAPP, Secretary. Honolulu, March 22, 1905. 7068